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FM SECSTATE WASHDC

TO AMEMBASSY KIGALI PRIORITY

C O N F I D E N T I A L STATE 311270

FOR AMBASSADOR FROM AF/C - RAWSON

E.O. 12356: DECL: OADR

TAGS: AMGT

SUBJECT: OFFICIAL - INFORMAL

1. CONFIDENTIAL - ENTIRE TEXT.

2. FROM REFLECTIONS ALONG THE LONG WAY HOME, HERE ARE A FEW AFTER THOUGHTS:

A. YOUR IDEA OF NMOG FINDING GOVT. QUARTERS AT RWERERE AND THE VIRUNGA PARK HEADQUARTERS IS AN EXCELLENT ONE. IN ORDER TO MAKE SURE OPALAYE CHECKS OUT THE POSSIBILITY, YOU MIGHT NEED TO REMIND HIM AND SHOW HIM WHERE THOSE PLACES ARE ON THE MAP.

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B. THE GOVERNMENT HAS SOUGHT TO PRESERVE THE CONSTITUTIONAL COURT AND THE COUNCIL OF STATE AS INSTITUTIONS OF JUDICIAL AND ADMINISTRATIVE CONTROL. THEY COULD BE EFFECTIVE MEANS OF CURBING ARBITRARY EXERCISE OF POWER. HOWEVER, THE GOVERNMENT NEGOTIATORS MUST BE ABLE TO ASSURE A SWEEPING CHANGE OF PERSONNEL IN THOSE INSTITUTIONS IF THEY ARE EVER TO GAIN RPF'S CONFIDENCE THAT THE SYSTEM IS NOT STACKED IN FAVOR OF MRND APPOINTEES.

C. RPF KEEPS WANTING TO INSERT QUOTE SOCIAL FORCES

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UNQUOTE INTO THE POLITICAL EQUATION. IN TRANSLATION THIS COMES OUT AS VARIOUS SELF-APPOINTED HUMAN RIGHTS GROUPS WHO FAVOR RPF'S POSITION. THE GOVERNMENT'S ONLY BELIEVABLE HEDGE AGAINST THIS INSINUATION OF RPF FAVORITES IS TO GET THE NATIONAL HUMAN RIGHTS COUNCIL ESTABLISHED AND ACTIVE IN PURSUING HUMAN RIGHTS VIOLATIONS.

D. SO FAR THE GOVERNMENT HAS MERELY OFFERED A MINISTERIAL SHUFFLE AS A MEANS OF BRINGING IN RPF. RPF INSISTS THAT THERE BE A QUOTE NEW UNQUOTE GOVERNMENT. ULTIMATELY, THE GOVERNMENT MAY HAVE TO CONCEDE THAT EVERYONE, INCLUDING THE PRIME MINISTER, BE RENAMED AS THEY BRING RPF ON BOARD.

E. RPF HAS PUT A LOT OF EFFORT INTO ITS TRANSITIONAL CHARTER. MANY OF ITS PROVISIONS ARE UNTENABLE. BUT THE PROVISIONS RELATING TO HUMAN AND CITIZENS RIGHTS ARE DRAFTED TO MEET DEEP-SEATED RPF CONCERNS ABOUT HOW CURRENT CONSTITUTIONAL PROVISIONS WORK OUT IN PRACTICE. THE GOVERNMENT SHOULD NOT UNDERESTIMATE RPF'S EMOTIONAL ATTACHMENT TO THOSE PROVISIONS. IT MIGHT BE THAT THE CHARTER COULD BE ACCEPTED AS A WORKING PAPER FOR AN

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EVENTUAL CONSTITUTIONAL COMMITTEE OR THAT A SIMPLE TRANSITIONAL BILL OF RIGHTS MIGHT BE ADOPTED AS PART OF THE PEACE ACCORD.

3. THE ABOVE IDEAS WON'T DO MUCH TO LEVERAGE THE PROCESS FORWARD. I JUST PASS THEM FOR WHAT THEY ARE WORTH IN YOUR CONTINUING DIALOGUE WITH GOVERNMENT OFFICIALS PREPARING FOR THE SECOND STAGE OF POLITICAL TALKS. THE REAL PROBLEM IS TO GET THE RPF TO COME UP WITH A MORE REALISTIC NEGOTIATING POSITION, ONE THAT WOULD BE ACCEPTABLE TO A CROSS-SECTION OF RWANDAN POLITICAL INTERESTS. WE ARE WORKING ON THAT WITH A LETTER TO MUSEVENI FROM THE ACTING ASSISTANT SECRETARY AND I MAY GO BY KAMPALA ON MY WAY OUT IF NECESSARY. GIVEN THAT TALKS PICK UP AGAIN SO SOON, A KAMPALA TRIP IS ALL I CAN WORK IN BEFORE I GET BACK TO ARUSHA. I WOULD PLAN TO COME BY KIGALI ON MY WAY OUT, O/A OCTOBER 20.

4. THANKS AGAIN FOR YOUR GRACIOUS HOSPITALITY. I HOPE TO CALL YOU IN A COUPLE OF DAYS TO GET A SENSE OF HOW ATTITUDES IN KIGALI ARE COALESCING. REGARDS. WISNER

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